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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 v.
14 LUIS AVALOS,
15 Defendant.

Case No. 2:23-cr-00208-APG-DJA

**STIPULATION TO CONTINUE
STATUS CONFERENCE**
(First Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and Between Jason M. Frierson,
17 United States Attorney, and Justin J. Washburne, Assistant United States Attorney, counsel for
18 the United States of America, and Rene L. Valladares, Federal Public Defender, and Benjamin
19 F. J. Nemec, Assistant Federal Public Defender, counsel for Luis Avalos, that the status
20 conference currently scheduled on March 5, 2024, be vacated and continued to a date and time
21 convenient to the Court, but no sooner than thirty (30) days.

22 This Stipulation is entered into for the following reasons:

23 1. The parties have reached an agreement that has yet to be executed. Additional
24 time is needed so the government can draft the plea agreement, and Mr. Avalos can review
25 and sign it.

26 2. The defendant is incarcerated and does not object to the continuance.

1 3. The parties agree to the continuance.

2 This is the first request for a continuance of the status conference.

3 DATED this 27th day of February, 2024.

4
5 RENE L. VALLADARES
6 Federal Public Defender

 JASON M. FRIERSON
 United States Attorney

7 By /s/ Benjamin F. J. Nemec

8 BENJAMIN F. J. NEMEC
9 Assistant Federal Public Defender

 By /s/ Justin J. Washburne

 JUSTIN J. WASHBURNE
 Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 LUIS AVALOS,

7 Defendant.

Case No. 2:23-cr-00208-APG-DJA

FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER

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10 **FINDINGS OF FACT**

11 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. The parties have reached an agreement that has yet to be executed. Additional
14 time is needed so the government can draft the plea agreement, and Mr. Avalos can review
15 and sign it.

16 2. The defendant is incarcerated and does not object to the continuance.

17 3. The parties agree to the continuance.

18 This is the first request for a continuance of the status conference.
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CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), when the considering the facts under Title 18, United States Code, § 316(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the status conference currently scheduled on Tuesday, March 5, 2024, at 9:00 a.m., be vacated and continued to April 16, 2024 at the hour of 9:00 a.m. in Courtroom 6C.

DATED this 29th day of February, 2024.


UNITED STATES DISTRICT JUDGE